

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS A. DYCUS,

CASE NO. 2:07-cv-373

Petitioner,

JUDGE SMITH

MAGISTRATE JUDGE ABEL

v.

JAMES ERWIN, Warden,

Respondent.

OPINION AND ORDER

On March 27, 2008, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as barred by the one-year statute of limitations pursuant to 28 U.S.C. §2244(d). Although the parties were explicitly advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, and although petitioner was granted an extension of time to file objections to the Magistrate Judge's *Report and Recommendation*, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action hereby is **DISMISSED**.

IT IS SO ORDERED.

_____\s\ George C. Smith
GEORGE C. SMITH
United States District Judge